


Magistrate Judge is modified to that extent. Petitioner shall comply with the requirements stated in the Report and Recommendation on or before May 4, 2009. Failure to timely comply with this order, or to obtain an additional extension for good cause shown, will result in the dismissal of this action without prejudice, for failure to pay the filing fee.

Dated this 6th day of April, 2009.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

09-0307p002.wpd